

Seattle University School of Law Digital Commons

Faculty Scholarship

1-1-1996

The Nativist's Dream of Return

Robert S. Chang

Follow this and additional works at: <https://digitalcommons.law.seattleu.edu/faculty>



Part of the [Civil Rights and Discrimination Commons](#), and the [Law and Society Commons](#)

Recommended Citation

Robert S. Chang, The Nativist's Dream of Return, 9 *BERKELEY LA RAZA L. J.* 55 (1996).
<https://digitalcommons.law.seattleu.edu/faculty/327>

This Article is brought to you for free and open access by Seattle University School of Law Digital Commons. It has been accepted for inclusion in Faculty Scholarship by an authorized administrator of Seattle University School of Law Digital Commons. For more information, please contact coteconor@seattleu.edu.

The Nativist's Dream of Return

Robert S. Chang[†]

Good afternoon. My name is Robert Chang. If I don't look like a Robert, that's because it's not my real name. Borrowing from James Baldwin, perhaps nobody knows my name. I've been without my real name since I came to the United States, a loss that I am only now realizing. To acknowledge this loss, let me introduce myself as a recovering Oriental. One might ask, what is it that I'm recovering from? What am I trying to recover. I hope that some of the meanings come through in my talk.

America dreams of race in black and white. By this, I mean that the current racial paradigm has become naturalized so that race in America is generally understood to mean black and white. This notion of race limits people's understanding and willingness to engage with the history and current state of Asian Americans and Latinos in the United States. Instead of being interested participants, we are seen as interlopers. Yet this status as interloper is precisely why Asian Americans and Latinos are important in discussions of race—our existence disrupts the comfortable binary of the black/white racial paradigm in which the black racial subject is produced by and through its opposition to the white racial subject, and vice versa. The presence of other racialized bodies problematizes this notion of the construction of both black and white racial subjects. Inclusion of Asian Americans and Latinos operates to denature—denaturalize—the current paradigm.

The stubbornness of the current racial paradigm may be seen in a book published by the Harvard University Press in 1985, *Racial Attitudes in America*, which "trace[s] the changes in... attitudes [toward racial issues] over the past four decades."¹ The authors chronicle white attitudes toward blacks and black attitudes toward whites. There is no problem with limiting the book's scope in this fashion; the authors,

[†] Associate Professor, California Western School of Law. M.A., J.D. 1992, Duke University; A.B. 1988, Princeton. Copyright 1996 Robert S. Chang.

This essay is a fictional account of the paper I delivered at the Latino/a Professor Colloquium held in October 1995 in San Juan, Puerto Rico. Although the first and last two paragraphs of this essay bear a substantial resemblance to the transcript of my remarks, certain restrictions prevent me from using most of that text here. If you would like to read a version of that text, see Robert S. Chang, *A Meditation on Borders in THE NEW NATIVISM*, (Juan Perea ed., forthcoming 1996), an anthology of original essays from New York University Press. That chapter along with parts of this essay also appear in various guises in ROBERT S. CHANG, *DIS-ORIENTED: ASIAN AMERICANS, LAW, AND THE NATION-STATE* (forthcoming 1997), also from New York University Press.

I would like to thank Maggie Chon and Todd Hughes for their comments as I was writing this essay. Thanks to Nancy Levit for her comments on a later draft. Special thanks to Frank Valdes for his dedication in organizing the Colloquium.

1. HOWARD SCHUMAN ET AL., *RACIAL ATTITUDES IN AMERICA: TRENDS AND INTERPRETATIONS* vii (2nd ed. 1988).

though, are unreflective about the limitations of their work. Without qualification, their stated goal is "to document and make comprehensible the changing attitudes of the American people toward what W.E.B. Du Bois in 1903 termed 'the problem of the color line.'"² But Du Bois, writing in 1903, understood "the problem of the color line" as not simply a black/white issue, but rather "the relation of the darker to the lighter races of men in Asia and Africa, in America and the islands of the sea."³ Du Bois makes this point more forcefully in "The Color Line Belts the World"⁴ which appeared a few years later in *Collier's Weekly*. Yet the fact that the authors of *Racial Attitudes in America* can limit their vision and cite Du Bois for support demonstrates the operation of a racial paradigm that makes race appear naturally as a black and white issue.

Adrienne Davis in a recent essay challenges the naturalness of this paradigm.⁵ She begins with a story ironically entitled "Dreaming in Black and White in Nicaragua" in which she describes the dissonance she feels, as a Black American, in a country that doesn't view race in terms of black and white. Throughout her journey, she encounters people who question her racial background; no one asks if she is black. She ends her story by describing the comfort she feels when she boards a plane for the United States, back to the familiarity of the "looming category of blackness."⁶

I find this to be a wonderful play on and reversal of certain motifs in Joseph Conrad's *Heart of Darkness*. Conrad's darkness, found on another continent, is projected back onto America in Davis' version. This reversal is powerful because it not only reveals the role blackness (and its racial opposite, whiteness) plays in structuring identities in America; it also reveals the limitations of a racial imagination that only dreams in black and white. While she finds a certain comfort in her return to the familiar, one cannot miss her sense of impending doom.

Davis' story opens up space for an account of race in which racial categories are understood as contingent, i.e. dependent on the context. Her black racial identity, generally secure in the context of the United States, became destabilized when she journeyed to Nicaragua. But in the same way that she journeyed to Nicaragua, Nicaraguans can (and do) journey to the United States. With the increasing presence of persons from the Caribbean and Central and South America, the U.S. racial context is changing at a rate that is outpacing the efforts of official identity producers such as the United States Census. Michael Omi and

2. *Id.* at 2 (quoting W.E.B. Du Bois).

3. W.E.B. DU BOIS, *THE SOULS OF BLACK FOLK* 13 (2nd ed. 1989). Gabriel Chin observes a similar misinterpretation of the Du Bois quote by a number of legal scholars. Gabriel J. Chin, *A Streetcar Named Harlan: Asian Americans and John Marshall Harlan's Dissent in Plessy v. Ferguson*, 82 IOWA L. REV. (forthcoming October 1996) (manuscript at 36, on file with *La Raza Law Journal*) (citations omitted).

4. W.E.B. Du Bois, *The Color Line Belts the World*, *COLLIER'S WEEKLY* 30, Oct. 20, 1906, reprinted in W.E.B. DU BOIS: *A READER* 42-43 (David L. Lewis ed., 1995).

5. Adrienne D. Davis, *Identity Notes, Part I: Playing in the Light*, 45 AM. UNIV. L. REV. 697 (1996).

6. *Id.* at 701.

Howard Winant argue that the changes in the Census category—"Persons of Spanish Mother Tongue" in 1950 and 1960 became "Persons of Both Spanish Surname and Spanish Mother Tongue" in 1970, which then evolved into "Hispanic" in 1980 and 1990—"suggest the state's inability to 'racialize' a particular group—to institutionalize it in a politically organized racial system."⁷

On the other hand, the state has had less trouble racializing persons of Asian ancestry. The United States Supreme Court's decision in *United States v. Thind* and *United States v. Ozawa*, established with finality the racial bar on naturalization for Asians, holding that persons of Asian ancestry could not become naturalized citizens.⁸ These cases were followed shortly by the 1924 Immigration Act that consolidated the racial bar on immigration by prohibiting immigration by those ineligible for citizenship, i.e. persons of Asian ancestry.⁹ Yet, despite the ease with which persons of Asian ancestry were racialized by the state, Asian Americans never really became part of the racial landscape of America.

Although there is tremendous diversity within and between Asian Americans and Latinos, one common theme running through our experiences is the attribution of foreignness.¹⁰ Attribution of foreignness allows for what Juan Perea has described as "symbolic deportation."¹¹ Foreignness is inscribed upon our bodies in such a way that Asian Americans and Latinos carry a figurative border with us. This figurative border operates to confirm the belonging-ness of "real" Americans, and marks Asian Americans and Latinos as un-American.

This negative identity connotes that our true home lies elsewhere, that there is some other place where we belong. But for many of us, that place or homeland is largely an imaginary one.¹² This is not to say that imaginary homelands are not important to how we constitute our own identities; but our relation to a homeland is ambivalent at best. Oscar Hijuelos captures this sense of ambivalence in his novel, *Our House in the Last World*, which is about a family of Cuban exiles and their dream of return to their homeland.¹³

7. MICHAEL OMI & HOWARD WINANT, RACIAL FORMATION IN THE UNITED STATES: FROM THE 1960S TO THE 1990S, 82 (2d ed., 1994). As numerous commentators have noted, the struggle continues over the racial/ethnic categorizations of persons of Spanish, Caribbean, and Latin American descent. See, e.g., SUZANNE OBOLER, ETHNIC LABELS, LATINO LIVES: IDENTITY AND THE POLITICS OF (RE)PRESENTATION IN THE UNITED STATES (1995); Luis Toro, "A People Distinct from Others": Race and Identity in Federal Indian Law and the Hispanic Classification in OMB Directive No. 15, 26 TEXAS TECH. L. REV. 1219 (1995); Gloria Sandrino, Los Confundidos: De-Conflating Latinos/as' Nationality and Race (unpublished manuscript on file with *La Raza Law Journal*).

8. *Ozawa v. United States*, 260 U.S. 178 (1922); *United States v. Thind*, 261 U.S. 204 (1923). For a more detailed examination of these two cases, see IAN F. HANEY LOPEZ, WHITE BY LAW: THE LEGAL CONSTRUCTION OF RACE 79-109 (1996).

9. Immigration Act of 1924, ch. 190, 43 Stat. 153 § 13(c).

10. In pursuing this line of inquiry, I follow Neil Gotunda whose work on non-Black minorities first explored "foreignness" as a "previously unexamined dimension of the relationship between race and law." Neil Gotunda, "Other Non-Whites" in *American Legal History: A Review of Justice at War*, 85 COLUM. L. REV. 1186, 1188 (1985) (reviewing PETER IRONS, JUSTICE AT WAR (1983)).

11. Juan Perea, *Los Olvidados: On the Making of Invisible People*, 70 N.Y.U. L. REV. 965 (1995).

12. SALMAN RUSHDIE, IMAGINARY HOMELANDS: ESSAYS AND CRITICISM 1981-1991, 9 (1991).

13. OSCAR HIJUELOS, OUR HOUSE IN THE LAST WORLD (1983).

The dream of return is not the sole province of the immigrant. I am reminded of the many times that my "accent-less" English brings the question: "Where did you learn to speak so well?" This question is often followed by, "Where are you from?" which E. San Juan, Jr., identifies as not so far from the unasked but often present, "When are you going back?"¹⁴ This progression signals the questioner's dream of my return.

The questioner's dream of return extends beyond wishing the return or exclusion of people who look like me. Having no external homeland, the nativist is left to construct a homeland out of an imagined past. Unlike immigrants who are separated physically from their homeland, the nativist is separated temporally (and perhaps only temporarily) from his. But a return to the past is possible only in the future. The nostalgic recollection of an America past (or Paradise lost) is projected forward as an "America" that again might be. Perhaps this provides the contextual framework for the struggle over English-only movements, multiculturalism, and immigration.

A photo in the newspaper *AsianWeek* highlights the struggle that lies ahead. The photo is of a demonstrator at a protest in San Francisco against proposed immigration legislation. The demonstrator, an elderly man with Asian features holds a large placard stating: "I AM AN AMERICAN."¹⁵ This photo reminded me of newsreels of civil rights marches of the 60s in which Black American men held placards stating: "I AM A MAN." In both cases, the demonstrators were asserting a claim to dignity that American society had denied them by refusing to recognize and treat them as fellow Americans and fellow human beings.

* * *

I began by introducing myself as a recovering Oriental. At the close of my talk, I ask again, what is it that I am recovering from? What am I trying to recover? This phrase recognizes that I exist in the American imaginary as an Oriental, as the object of American Orientalism. As a recovering Oriental, I am in transit. I am between places: my imaginary homeland and the mythic America; between identities, Oriental and Asian American. Although my work focuses on Asian Americans, I believe that there are commonalities between Asian Americans and Latinos. This belief was reinforced two weeks ago when I learned of a performance group in Southern California called Latinos Anonymous. They begin performances by standing up and introducing themselves: "Hi. My name is so-and-so. I am a Latino." They confess to various things that they have done to remain anonymous, such as wearing blue contact lenses and so on.

Perhaps all those who are treated as outsiders exist in a state of recovery. The question then is how to negotiate this recovery. In another

14. E. San Juan, Jr., *The Predicament of Filipinos in the United States: "Where are you from? When are you going back?,"* in *THE STATE OF ASIAN AMERICA: ACTIVISM AND RESISTANCE IN THE UNITED STATES* 205 (Karin Aguillar-San Juan ed., 1994).

15. Candy Kit Har Chan, *The Voice of Asian America*, *ASIANWEEK*: Dec. 15, 1995, at front cover photograph.

context, Felix Padilla coined the phrase *Latinismo*, which Suzanne Oboler describes as “the forging of unity among Latinos in the struggle for full citizenship rights and social justice in the United States.”¹⁶ We need to imagine a phrase to help us forge a coalition to work toward achieving justice. Instead of dreaming of a return to an imaginary homeland or to a mythic past, let us engage in this hard work, remembering that it is through solidarity that we will one day recover ourselves. Thank you.

16. Oboler, *supra* note 7, at xix (citing FELIX PADILLA, *LATINO ETHNIC CONSCIOUSNESS: THE CASE OF MEXICAN AMERICANS AND PUERTO RICANS IN CHICAGO* (1985)).

